

Plaintiff's Name Earl Childs  
 Prisoner No. F-14068  
 Institutional Address CHCF-B-B5A-117  
P/O Box-213040  
Stockton, CA 95213

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

EARL CHILDS  
 (Enter your full name)

v.

H. Gasca et al,  
M. Coronado-Rodriguez;  
Sgt. O. Aragon

(Enter the full name(s) of all defendants in this action)

Case No. \_\_\_\_\_  
 (Provided by the clerk upon filing)

COMPLAINT BY A PRISONER  
 UNDER THE CIVIL RIGHTS ACT,  
 42 U.S.C. § 1983

**I. Exhaustion of Administrative Remedies.**

*You must exhaust available administrative remedies before your claim can go forward. The court will dismiss any unexhausted claims.*

A. Place of present confinement CHCF-Stockton

B. Is there a grievance procedure in this institution? ☒ YES ☐ NO

C. If so, did you present the facts in your complaint for review through the grievance procedure?  
☒ YES ☐ NO

D. If your answer is YES, list the appeal number and the date and result of the appeal at each level of review. If you did not pursue any available level of appeal, explain why.

1. Informal appeal: By passed (Log# 000000121983)  
filed on (05-25-2021).

2. First formal level: By passed (Log# 000000121983)  
filed on (05-25-2021).

3. Second formal level: Log# 000000121983, filed on (05-25-2021)

This level sent the appeal back to me, determining that staff did not violate policy at the institutional level.

4. Third formal level: Log# 000000121983 (05-10-1-2021) Granted at the 3rd level.  
Appeal Granted, This Decision Exhausts the administrative remedies available to plaintiff. Granted Appeal, All claim's granted at CDCR level.

E. Is the last level to which you appealed the highest level of appeal available to you?

☒ YES ☐ NO

F. If you did not present your claim for review through the grievance procedure, explain why.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

## II. Parties.

A. If there are additional plaintiffs besides you, write their name(s) and present address(es).

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

B. For each defendant, provide full name, official position and place of employment.

<sup>1</sup> H. Gasca, % correctional officer, (T.C.#2 Floor official - Yard Monitoring officer, SVSP/SUPP. CDCR, 311625 Highway 101, Soledad, CA 93960;)

<sup>2</sup> M. Coronado-Rodriguez, % correctional officer, SVSP/SUPP. CDCR

<sup>3</sup> O. Aragon, sergeant/supervisor, SVSP, SUPP. CDCR,

(see attached page [6] page [7])

## III. Statement of Claim.

State briefly the facts of your case. Be sure to describe how each defendant is involved and to include dates, when possible. Do not give any legal arguments or cite any cases or statutes. If you have more than one claim, each claim should be set forth in a separate numbered paragraph.

on (05-25-2021) I was attacked, and assaulted by another incarcerated person, I never seen before, when the person hit me he made a statement saying "This is for the %'s". The officer that was suppose to be assigned to monitoring and supervising the



## II Statement of Claim

left his post which is official, "H. Gasca", As I was being assaulted, I called out for help for over (two) minutes, before another inmate ran to the gate and called for help, The inmate was (Nguyen - #BM0511) at that time officer, H. Gasca, appeared and never pushed his body alarm, but called the fight on his radio; At that time the SGT. O. Aragon and other official arrived to the yard gate; after the Assault on me was over, official H. Gasca ran into the yard and ran toward (me) and throw a (p.c. can grenade) at me, even though, I wasn't being attacked no more or I wasn't holding my attacked (Brown\*) The SGT. O. Aragon was standing by supervising the incident; when The C/O H. Gasca, ordered me to get down on the ground, I told him "I couldn't get down on the ground because my mobility issues and pointed to my cane, the "SGT. O. Aragon" stood by while C/O H. Gasca said "I don't care and while C/O H. Gasca was grabbing my wrist with unnecessary force and while C/O H. Gasca, was handcuffing me behind my back, after C/O H. Gasca Refused to allow me to use my (A.D.A) cane, THE SGT. O. Aragon, told C/O H. Gasca & C/O M. Coronado to search me and escort me to the T.C.2 Treatment room, at which time C/O H. Gasca told me to stand-up, so I rolled over and said "I can't, C/O Gasca, grabbed me by my arm, Continue (pages = 4 & 5)

## IV. Relief.

Your complaint must include a request for specific relief. State briefly exactly what you want the court to do for you. Do not make legal arguments and do not cite any cases or statutes.

see Page 20  
For Relief

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on:

12-01-2021  
Date

EARL CHILDS, E. Childs  
Signature of Plaintiff  
pro-se

12/25/21

page 3 of 21

Clgim

1 in front of THE SGT. Mr. O. Aragon, didn't step in  
2 or intervene and stop The C/O H. Gasca from  
3 Ruffing me up, After H. Gasca and M. Coronado  
4 Cuffed me to the back, THE SGT. O. Aragon Told  
5 both C/O's to clothes body search me and order  
6 them to escort ME, to the TC2 Treatment room.  
7 AS I WAS CUFF TO THE BACK & Laid on my ~~stomack~~  
8 stomach, C/O H. Gasca Told me to stand up, I  
9 rolled over and said I can't, C/O H. Gasca grabbed  
10 my arm with force, I stated "Man that hurts" AS I  
11 was trying to stand up, I slipped out C/O H. Gasca grip  
12 DO TO I had a weak balance and scrapped my  
13 knee on the ground, That's when C/O M. Coronado  
14 help C/O Gasca stand me up.  
15 THE SGT. O. Aragon didn't intervene and HE stood  
16 by and watched. He failed to do his duty, which  
17 makes him liable for my knee injury and the  
18 pain in my wrist, He had order The officers to  
19 Escort me  
20 THE SGT. O. Aragon Knew I use a cane & have a chronic  
21 to be cuff with waist restraints and He Knew I  
22 was & am a (A.D.A) mental/health patient/prisoner  
23 HE failed TO protect me and balantly turned a  
24 blind eye to what the officials he supervise did to  
25 me.  
26 INJURY: I have a permanent SCare on my knee,  
27 and my <sup>Left</sup> wrist is in pain.  
28



Continue

## Claim II

With Force, I stated out loud, "Man that hurts" As I was trying to stand up, I slipped out C/O H. Gasca grip, due to my weak balance, and scrapped my knee on the ground as I went down, that's when C/O M. Coronado help C/O H. Gasca assist me to my feet. THE SGT. O. Aragon didn't order The C/O's to allow me to use my cane and for me to be allowed to be granted the right to be cuffed to the front or in waist restraints.

THE SGT. O. Aragon, failed to intervene, while C/O H. Gasca, deprived me of my medical right to use my cane, and due to the Doctor, wrote me a medical chrono to be cuffed to the front. AND due to The SGT. O. Aragon failure to intervene, I was injured, with a knee injury, and a swollen wrist and ongoing pain.

The SGT O. Aragon, is responsible for supervising T.C.2, staff under him which is and was the C/O's and to maintain inmates safety & security and to see to it inmates are treated fair. AND O Aragon allowed H. Gasca write a False RVR Report about me. Known as an RVR-115. THE following civil rights has been violated:

THE SGT. O Aragon violated my (first Amendment rights) My Americans with Disabilities Act (A.D.A) & R/A, The Rehabilitation Act; my Eighth Amendment Rights, my 1<sup>st</sup>, 8<sup>th</sup>, 14<sup>th</sup> U.S. Constitutional Amendment Rights, under the Equal protection Clause; Failure-to-protect; Deliberate indifference, my mental health Rights, due process clause.

## II. PARTIES.

1) Defendant: H. GASCA

Resides or Work at: Salinas valley state prison - supp,  
31625 Highway 101, Soledad, CA 93960

Position, Title: C/o correctional officer, T.C. 2 floor  
officer, Yard supervisor - Yard Monitoring official.

THE Defendant is sued in both: ~~Individual~~ &  
~~Official Capacity~~.

How this defendant was acting under color of law;  
Defendant, H. Gasca, is and were a Correctional  
officer at Salinas valley at all times relevant to  
this Law suit, and at all dates & times mentioned  
herein the defendant were employed by (CDCR)  
California Department of Corrections at the time  
he violated my civil rights.

2) Defendant: M. Coronado - Rodriguez,

Resides or work at: Salinas valley state prison - supp  
31625 Highway 101, Soledad, CA 93960

Position - Title: C/o Correctional officer

sued in both ~~Individual~~, ~~Official Capacity~~.

Defendant, M. Coronado - Rodriguez, was acting  
under color of Law. Defendant, is and were a  
Correctional officer at Salinas valley at all times  
relevant to this Law suit, and at all dates & times  
mentioned herein, the defendant were employed  
by (CDCR) California Department of Corrections  
at the time he violated my civil rights



3)

Defendant: O. Aragon

Resides or Work at: Salinas Valley State Prison  
 -srpp. 31625 Highway 101, Soledad, CA 93960.  
 position, title: Sergeant.

sued in both: ~~Individual~~ ~~Official~~  
 capacity.

How this defendant was acting under color  
 of Law: Defendant: O. Aragon, is and were a  
 Correctional Sergeant and the supervisor  
 to the other (two) defendants - Correctional  
 officers, at Salinas Valley at all times relevant  
 to this Lawsuit and at all dates & times  
 mentioned herein the defendant were employed  
 by (CDCR) California Department of Corrections at  
 the time he violated my civil rights.

PLAINTIFF: EARL CHILDS - F.14068

Presently resides at: CHCF - Stockton, P/O Box - 213040  
 Stockton, California 95213

Institution/place where violation occurred: Salinas Valley State  
 Prison - Psychiatric Hospital.

on (Dates)

Count 1\* (05/25/2021) Count 2\* (05/25/2021)

## E. CLAIMS\*

## CLAIM I

The following civil right has been violated:

My Eighth Amendment rights by defendant failing to intervene during inmate Brown's attack on me, Also Freedom from Cruel and unusual punishment  
 My first Amendment Right, Free from retaliation; Discrimination against a (A.D.A) prisoner; THE Rehabilitation Act (R.A.)  
 My fourteenth Amendment rights, under the Equal protection Clause, for Defendants failure to protect; deliberate indifference, Discrimination against a mental health patient, violation ~~of~~ of my mental health rights

Supporting Facts: [Include all facts you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be certain you describe, in separately numbered paragraphs, exactly what each DEFENDANT (by name) did to violate your right.]

\*If there is more than one claim, describe the additional claim(s) on another attached piece of paper using the same outline.

I, plaintiff (Childs), was housed in unit (T.C.#2) in cell (B-9) at (sus) Salinas valley state prison in the mental health unit known as (P.I.P) Psychiatric Inpatient program-Hospital, at the ICF-P.C.1370 level of care under treatment by the prison mental health staff for my serious mental health issues.

on May 25<sup>th</sup>, 2021 around 11:30-ish <sup>A.M.</sup>, yard release was called on the (T.C.) unit P.A.-system. I got ready for yard, by putting on my (A.D.A) mobility impaired vest, due to I use a cane to get around & to let staff know I cannot get down on the ground. Also I was wearing my special safety sunglasses, to protect my eyes, due to I recently had a corneal transplant surgery performed on my right eye. On May 25<sup>th</sup>, 2021, AS I walked out to the recreational yard, I walked through the first gate passing (C/O H. Gasca) who is assigned to monitor and supervising the rec yard. AS I walked through the last yard gate, C/O H. Gasca, shut the gate behind me and said "last one for yard."



## CLAIMS 1

1 I walked to the yard tables. As I was taking my  
 2 sunglasses off, I saw another incarcerated  
 3 person, I'd never seen before standing several  
 4 yards away from me. As I removed my sunglasses  
 5 from my face, the other INMATE walked over to  
 6 me and started ATTACKING ME. The other inmate  
 7 now known as ("Inmate-Brown-#BL3696") started  
 8 swinging at me. Brown said "This is for the C/o's,"  
 9 He then punched me two times in the face, then  
 10 in my upper body. After he hit me again, I tried to  
 11 grab him, while I was going down, I grabbed (Brown)  
 12 arms to restrain him from hitting me in the face  
 13 again. As I was holding (Brown) arm, I called out for  
 14 the C/o's to "help." I started screaming "C/o. help, help,  
 15 I am being attacked, come and get this guy," I then  
 16 called for "help, help, for (Two) minutes or longer I  
 17 called for the officers on the yard to assist me,  
 18 the officers did nothing to help me. I was  
 19 calling for (C/o H. Gasca) that was suppose to be  
 20 supervising & monitoring the rec' yard by sitting  
 21 in a chair in front of the yard gate, making sure  
 22 everyone is safe and not fighting or being attack  
 23 C/o H. Gasca, was not even outside.  
 24 INMATE BROWN continue to hit me, another inmate  
 25 named (Nguyen-#BMO511) ran to the gate and started  
 26 calling for the officers that was inside the  
 27 unit to help and to stop the assault. Due to I  
 28 was holding Brown arm he tried to hit me and



## Claim 1

1 we both fell into the yard gate, then we both  
2 started falling to the ground, I hit my hand  
3 and leg on the table, I somehow got the  
4 upper hand on (Brawn), I got up and started  
5 restraining Brawn, my goal was to stop him  
6 from harming me anymore, without fighting  
7 back and giving officers a reason to charge  
8 me with an R.V.R, at that moment I was still  
9 holding inmate Brawn, when I notice officer Gasca,  
10 at the yard gate, then other officers. I started  
11 telling the officers "HELP, hit your alarm, he's  
12 still trying to attack me; officer H. Gasca  
13 stated to me "Childs let go of inmate Brawn, give  
14 him a chance", as Brawn was down still he  
15 was attempting to hit me in my face. I yelled to  
16 C/O H. Gasca "IF I let him go he will keep attacking  
17 me, I asked C/O H. Gasca to open the gate and  
18 I'll let him go, at that moment C/O H. Gasca  
19 order the other inmates that was at yard to  
20 get down. C/O Gasca yelled to me "Childs I'm not  
21 going to open the gate until you let him go".  
22 I stated "I've been calling for help for over 2  
23 minutes" plus I don't hear "no" alarm, at that  
24 moment, I let (Brawn) go and walked by the yard  
25 restroom area, I heard the gate to the yard  
26 open, then C/O H. Gasca and the other officers  
27 ran into the yard and C/O H. Gasca ran toward  
28 me and throw a (O.C can grenade) at me



## Claim 1

even though, I wasn't holding INMATE Brown or  
 he was no longer attacking me. After the grenade  
 was thrown, Officer's % H. Gasca and % Coronado  
 ran up on me, Officer H. Gasca ordered me to  
 get down on the ground. I told him "I couldn't get  
 down on the ground because my mobility issues,  
 and pointed to my cane, that was sitting nearby.  
 % Coronado and % H. Gasca stepped closer to me.  
 I told % H. Gasca "You know I am (A.D.A) that's  
 when % H. Gasca tried to grab my wrist with  
 unnecessary force and tried to handcuff me  
 behind my back. I told % H. Gasca calm-down,  
 he said stop resisting. I stated I'm not but  
 your hurting me. I told him that I needed  
 to be cuffed in front, because my medical  
 Chrono. % H. Gasca stated "I don't care" and  
 continue to RUFFING me up, with unnecessary  
 force, and cuffed me behind my back. I asked  
 to grab my cane and officer Gasca Refused  
 my request. While the Sergeant/supervisor  
 % O. Aragon and % M. Coronado was standing  
 close by. THE SGT, O. Aragon, told % H. Gasca & %  
 M. Coronado, To search me and escort me to  
 The T.C.2 Treatment room. % Gasca & % M. Coronado  
 WAS standing over me, AS % Gasca told me to  
 stand up. I rolled over and said I can't, %  
 Gasca grabbed my arm, with force, I stated  
 "Man that hurts", AS I was trying to stand up



## claim 1

I slipped out c/o Gasca grip Do to I had a weak balance and scrapped my knee on the ground, that's when c/o m. Coronado help c/o H. Gasca assist me to my feet. I ~~stall~~ stood up. I felt like I might fall as I walked, off the yard, to the Treatment room. As I stood by the inmate Brown was in the treatment room first. The nursing staff came to evaluate me in the hall way and documented my injuries on a 7219 form.

My left eye was black and I had abrasions on my hand, knees and forearms. During the evaluation, the nurses asked us each why this altercation happen. My attacked Brown was several feet away from me, and I overheard him say "NoBody else wanted to step up to the plate and get PAID".

After I seen the nurse c/o H. Gasca took me back to my cell. Once I got in my cell, I notice my cane was on my bed. About twenty minutes later, c/o Gasca walked up to my cell door. He asked me, "What was all this over? Do you know the guy? He's big you handled your business". I told him "You know what's going on". c/o Gasca chuckled and said "No, that's a big guy though, as he walked away from my cell. After that two, C. N. Aiz approached my door (M. Hernandez, and V. Ortiz) and asked was I alright, and asked me do I know why that happen? When I said "No". Both nurses said, Brown



## Claim 1

told them "nobody wanted to step up and handle that dude," speaking about me "Childs".

I filed a 602 on this issue, and what happen, the defendant H. Gasca, wrote a false RVR Report about me and Brown to try to cover up, what took place and I was wrote up for fighting, and at the R.V.R. hearing the RVR was dropped and it stated "Childs was defending himself."

Injury/Injuries: I had abrasions to my left knee, to my arm, Due to THE ASSAULT & blows to my face, I received a black eye, due to I had surgery to my right eye before the assault, Brown's Punch to my eye, forced me to go back to the eye specialist, where I received a repair to my right eye to release the pressure which came from the blows to my face, now I continue to experience, dizziness,

I hit my hand on the table, causing my hand to bruise & swell up, I also hit my leg on the table, causing it to bleed,

When C/O H. GASCA force me to stand up while I was CUFF to the back & without my cane I stumbled and scraped my knee on the ground causing my knee to bleed, bruise, swell up & hurt with pain. It hurts to walk.

I had injuries to my arm, my face, The injuries caused permanent scarring to my leg's

## Claim 4

face, hand, & Knees,

I continue to have ongoing suffering, frequent headaches, nightmares about the assault and psychological Trauma. I suffer now from P.T.S.D = post Traumatic Stress Disorder, overwhelming anxiety, and living in fear of future assault. Due to the defendant's violating me & my rights I continue & will keep suffering. I live in fear of C/O's, officers, intimidating, Abusing, harassing me.

Due to this incident & what the defendant's did, I suffered both "Physical injuries & mental & emotional injuries, while I was under mental health treatment, & a (A.D.A) prisoner.

The Defendant SGT. O. Aragon allow defendant H. Gasca to falsify Government Report to cover up his violation on (5-25-2021). I <sup>was</sup> wrote ~~up~~ <sup>up</sup> for fighter when I was attacked & assaulted and there was no yard official there to help me and H. Gasca set the whole incident in motion.

THAT'S why the incident RVR-115 report dropped by The (LT. R. Martinez) & approved by The AW) warden J. Hughes.



## Each Defendant's Responsibility

1) Defendant (H. GASCA) HE is a Correctional officer, and he works on The T.C. 2, unit working in the (PIP) mental health building. (H. Gasca) Also is the recreational yard, officer, and He is assigned to monitoring and supervising the yard when patients are out at YARD. (H. Gasca) job is to sit in a chair in front of the rec YARD gate watching the yard through the gate.

Defendant (H. GASCA) Violated (My) Rights by way of: violating My eighth amendment Rights, violating my due process Clause of the fourteenth Amendment, to the United States Constitution.

1) Prison guard, have a constitutional duty to take reasonable measures to protect inmate's who are being assaulted by other inmates. (Defendant didn't protect me, and he is the person that ordered the assault.

2) H. GASCA, left his yard post, and left the YARD unsupervised, and failed to monitor the YARD for over 2 minutes. Also I called for help for over (2) minutes and HE failed to hear me, or respond.

3) Once HE seen the attack on me, HE failed to intervene during inmate (Brawn) assault on me. HE did not attempt to separate the 2 of us or order INMATE (Brawn) to stop hitting me.

HE didn't open the YARD gate so that I could escape, and all this amounted to deliberate.



indifference in violation of my Rights under my 1<sup>st</sup>, 8<sup>th</sup>,  
14<sup>th</sup> due process clause

Defendant, H. Gasca, turned a blind eye to my health & failure to protect me and my medical care. Defendant, H. Gasca, acted with deliberate indifference when he denied me the right to use my A.D.A. cane, and to be cuffed with waist restraints. HE has CUFFED me on numerous days with waist restraints and he knew I use a cane to get around, also he knew I had eye surgery & issues with my eyes.

I asked to use my cane and pointed at it and was denied, also HE knew & knows I am a (A.D.A) mental patient.

Defendant, did all this with a mind state of evil and "maliciously & sadistically for the very purpose of causing plaintiff harm and out of retaliation.

He intentionally denied me my A.D.A. cane, & the right to equal protection of the law,

HE shall be held liable for violating my civil rights, my A.D.A./R.A Rights, my mental health rights, while working under color of law.

Also Defendant H. Gasca was suppose to push his body alarm at the time of the assault but failed to push it to protect his cover-up and to allow the assault to go longer.



## Each Defendants' Responsibility.

2) Defendant: (M. Coronado-Rodriguez.) He is a correctional officer and still is, he worked on the T.C. 2 unit, in the (P.T.P) mental health building. (M. Coronado-Rodriguez) was the Responder 3 Escort officer on (05-25-2021) when this violation happen.

Defendant job was to make sure everyone was safe, and to see to it I was cuffed to the front and treated fair.

Defendant failed to intervene and stop Defendant H. Gasca from Denying me my Right to my (A.D.A) cane, and He stood by when I told both Defendants I am A.D.A. & have a special chair to be cuffed to the front and I got injured due to he turned a blind eye to defendant H. Gasca cuffing me to the back and my injury to my knee, getting scared and bruised, and he allow Defendant H. Gasca to use unreasonable, unnecessary & excessive force against me.

Defendant malicious & sadistic intent, to help his co-worker and to cause me harm for the purpose of wanting to cause me an injury & for the purpose of retaliating against me Defendant shall be held liable for my injuries and for violating my Civil Rights herein.

## EACH Defendant's Responsibility:

3) Defendant (O. Aragon) HE is a correctional Sergeant, and he works & still is working at SVSP as a Sergeant, & was working on T.C. 2 unit, at the time of the violation on (05-25-2021) was program SGT and was the response Supervisor.

Defendant (O. Aragon) Duty was to get to the yard make sure all was safe, and to supervise the incident, & he was responsible for supervising all the C/O's/officials on T.C. 2, and maintaining inmate safety & security.

Defendant had a duty to intervene and stop C/O. H. Gasca from using excessive force and for the other two Defendants, 1) H. Gasca, 2) M. Coronado-Rodriguez, refusing to cuff me to the front and allowing me to use my cane, Defendant (O. Aragon) is liable for the injuries that I received, and shall be liable for his personally involved in the violation.

He was deliberately indifferent to the risk that the officials he supervised committed against me. Defendant (O. Aragon) acted with "malicious & sadistic" intent, & he knew about my A.D.A. issues and the retaliation the other Defendant was causing against me and yet was indifferent (unconcerned, uncaring) to the violation of my civil rights, & his failure to protect



Defendant (O. Aragon),

At no time did defendant O. Aragon exercise his supervisory responsibility and prevent the other Defendant, H. Gasca from violating my rights

Defendants' (O. Aragon) (H. Gasca) (M. Coronado-Rodriguez) acts were willful, intentional, malicious, wanton, and despicable in conscious disregard of plaintiff's Childs Rights, entitling plaintiff to an award of exemplary damages.

Defendant, (O. Aragon), violated plaintiff's (Childs) right to be free from cruel and unusual punishment guaranteed to (Childs) by the Eighth Amendment of the United States Constitution by Defendant O. Aragon's failure to adequately supervise the Correctional officers - Defendants herein subordinate to him.

SGT, O. Aragon was the Supervisor and had personal involvement (Respondent superior)

continue

## RELIEF:

Wherefore, Plaintiff respectfully prays for relief as follows:

1) Issue a declaratory judgment that the acts and omissions described herein violated plaintiff's rights under the Constitution and laws of the United States.

2) Enter judgment in favor of plaintiff for nominal, compensatory, and punitive damages, in the amounts herein monetary damages in the sum of (\$ 50,000.) compensatory and punitive damages in the sum of (\$ 30,000.) nominal, compensatory in the sum of (\$ 1.00) OR as allowed by law, against each defendant, jointly and severally, & take this sue to settlement.

3) Award plaintiff the cost of suit and reasonable attorney's fees; and the \$450 dollar cost for the filing fee of this civil 1983 sue.

4) Grant plaintiff protection from any future attacks on his life and grant a preliminary & permanent injunctions ordering defendants to stay away from plaintiff.

5) Grant plaintiff such other and further relief as the court deems just and proper.

DATED

12-01-2021

Respectfully submitted,  
EARL CHILDS JR/ESTER  
E. Childs



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Case No. \_\_\_\_\_

*Will be provided by Clerk.*

**CONSENT OR DECLINATION  
TO MAGISTRATE JUDGE JURISDICTION**

Please indicate below by checking ONE of the two boxes whether you choose to consent or decline to consent to magistrate judge jurisdiction in this matter. Sign this form below your selection.

☒ **Consent to Magistrate Judge Jurisdiction**

In accordance with the provisions of 28 U.S.C. § 636(c), I voluntarily **consent** to have a United States magistrate judge conduct all further proceedings in this case, including trial and entry of final judgment.

**OR**

☐ **Decline Magistrate Judge Jurisdiction**

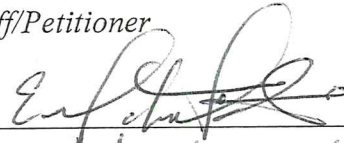
In accordance with the provisions of 28 U.S.C. § 636(c), I **decline** to have a United States magistrate judge conduct all further proceedings in this case, including trial and entry of final judgment.

Date: 12 - 01 - 2021

Name: EARL CHILDS <sup>F1448</sup>

*Pro Se Plaintiff/Petitioner*

Signature

  
cdcr # F14068

CHCF B-BSA-117

P/O Box-213040

Stockton, CA 95211

PROOF OF SERVICE BY MAIL  
[CCP §§ 1013(a), 2015.5]

STATE OF CALIFORNIA, COUNTY OF Stockton

I am a citizen of the County of Stockton, State of California. I am a citizen of the United States of America. I am over the age of eighteen (18) and not a party to this action. I am a resident of the County of San Joaquin, CDCR# F14068. My address is:

California Health Care Facility B-B5A-117  
P/O Box - 213040  
Stockton, CA 95213

On 12-01-2021, I served via United States Mail a copy of the following document(s):

21 pages of a 1983 civil complaint  
# Exhibits -

The above-noted legal document(s) was placed in a sealed envelope, with postage thereon fully prepaid, addressed to the person at the address indicated below pursuant to California Code of Civil Procedure Section 1013. I placed the envelope or package in a mailbox or other like facility addressed to:

U.S. DC N.D. Cal  
ASD Golden Gate Ave  
Box 36060  
SF, CA 94102

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. This document was executed on 12-01-21, in San Joaquin County, California.

EARL, Childs  
Type or Print Name

Earl Childs  
Signature Pro-se